IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 8017 of 2006(D)

PETITIONER:

T.R. SHEELA,
JUNIOR PUBLIC HEALTH NURSE GRADE-I,
PRIMARY HEALTH CENTRE, VENKITANGU, PADOOR P.O.,
THRISSUR DISTRICT.

BY ADV. SRI.A.K.ALEX

RESPONDENTS:
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1. DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.

2. DISTRICT MEDICAL OFFICER OF HEALTH,
THRISSUR.

BY GOVT.PLEADER SMT.N.SUDHA DEVI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT DT. 14.7.1986.

EXT.P2 : TRUE COPY OF THE PROCEEDINGS OF MEDICAL OFFICER, PRIMARY HEALTH CENTRE, THIRUMITTACODE.

EXT.P3 : TRUE COPY OF THE REPRESENTATION DT. 12.9.2005 SENT BY THE PETITIONER TO THE FIRST RESPONDENT.

EXT.P4 : TRUE COPY OF THE JUDGMENT IN CIVIL APPEAL NO.1904/2000 OF THE SUPREME COURT OF INDIA.

EXT.P5 : TRUE COPY OF THE JUDGMENT OF THE SUPREME COURT OF INDIA IN W.P.C.NO.493/91.

EXT.P6 TRUE COPY OF THE PROCEEDINGS OF THE ADDITIONAL DIRECTOR OF HEALTH SERVICES DT. 30.6.2004.

EXT.P7 TRUE COPY OF THE REPRESENTATION DT. 12.2.2006 SENT BY THE PETITIONER TO THE FIRST RESPONDENT.

TGS

KURIAN JOSEPH J.

W.P.(C) No.8017 of 2006

Dated 17th August, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "To issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to count the provisional service for the purpose of granting increment, seniority and other benefits.
>
> (ii) To issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to consider and dispose of Exts.P3 and P7."

It is submitted that in the case of several similarly situated persons, orders have been passed regularising them in service. There will be a direction to the first respondent to consider Exts.P3 and P7 and pass appropriate orders thereon in accordance with law with notice to the petitioner, within a period of three months from the date of production of a copy of the judgment, without discriminating the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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